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The Hon. Mary K. Dimke

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**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON**

OKANOGAN HIGHLANDS
ALLIANCE AND STATE OF
WASHINGTON,

Plaintiffs,

v.

CROWN RESOURCES
CORPORATION and KINROSS
GOLD U.S.A., INC.,

Defendants.

NO. 2:20-CV-00147-MKD

**PLAINTIFF STATE OF
WASHINGTON'S NOTICE
OF COMPLIANCE
REGARDING SERVICE
OF EXPERT REBUTTAL
REPORTS**

Except as provided herein and pursuant to this Court's Scheduling Order, ECF No. 133, Plaintiff State of Washington ("State") hereby provides notice that it has complied with the Scheduling Order's Rule 26(a)(2) requirements by timely identifying rebuttal experts and serving expert rebuttal reports in accordance with Rule 26, the Scheduling Order, and the amended scheduling

1 order, ECF No. 150; causing Rule 26(a)(2) rebuttal reports to be emailed to the
2 Court; and filing this notice with the Court.

3 The State has not provided dates for which the State's rebuttal experts can
4 be available for deposition because this case is stayed until August 21, 2023. *See*
5 ECF No. 147. Additionally, the State has not served or emailed to the Court the
6 Rule 26(a)(2) rebuttal report of Mr. James R. Kuipers, P.E., because the Court
7 extended the deadline for his rebuttal report to June 23, 2023. *See* ECF No. 153.

8
9 RESPECTFULLY SUBMITTED this 26th day of May 2023.

10 ROBERT W. FERGUSON
11 ATTORNEY GENERAL

12 *s/ Dan Von Seggern*
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CERTIFICATE OF SERVICE

I hereby certify that on May 26, 2023, I caused to be electronically filed PLAINTIFF STATE OF WASHINGTON'S NOTICE OF COMPLIANCE, and this CERTIFICATE OF SERVICE, with the Clerk of the Court using the CM/ECF System, which will send notification of such filing to the attorneys of record in this case. I further certify that on May 26, 2023, pursuant to the parties' Email Service Agreement, I caused to be served the expert rebuttal reports on the parties' attorneys of record in this case.

s/ Dan Von Seggern
Dan Von Seggern, WSBA #39239
Attorney for Plaintiff State of Washington